

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS**

**IN RE: NEW ENGLAND
COMPOUNDING PHARMACY, INC.
PRODUCTS LIABILITY LITIGATION**

**Master Docket No. 1:13-md-2419-FDS
MDL Docket No. 2419**

**This Document Relates to:
All Cases**

**MEMORANDUM OF LAW IN OPPOSITION TO CHAPTER 11 TRUSTEE'S
RENEWED AND SUPPLEMENTAL MOTION TO TRANSFER ADDITIONAL
PERSONAL INJURY TORT AND WRONGFUL DEATH CASES**

COMES NOW Image Guided Pain Management, P.C. ("IGPM") and appears specially, by counsel, without waiving any objections to jurisdiction, solely for the purpose of opposing the Trustee's Renewed and Supplemental Motion to Transfer Personal Injury Tort and Wrongful Death Cases to this Court (ECF No. 732) ("Trustee's motion"), and in support thereof, states as follows:

IGPM is a professional corporation consisting solely of two physicians who practice interventional radiology and is a named defendant in the Roanoke, Virginia lawsuits which are the subject of the Trustee's motion. For the reasons opposing transfer set forth in the Roanoke Gentry Locke Plaintiffs' Memorandum of Law in Opposition to Trustee's Renewed Motion to Transfer and in Support of Renewed Motion for Abstention (ECF No. 764) and Reply to The Omnibus Reply and Opposition of the Chapter 11 Trustee and the Official Committee of Unsecured Creditors [ECF No. 818] and the Statement of Insight Health Corp. [ECF No. 820] (ECF No. 844), and for the reasons opposing transfer set forth in the Roanoke Frith & Ellerman Plaintiffs' Memorandum of Law in Opposition to Trustee's Renewed Motion to Transfer (ECF No. 766), and for the reasons opposing transfer set forth in the Memorandum of Law by Roanoke-Area

LichtensteinFishwick and Brown & Jennings Intervenors in Opposition to the Chapter 11 Trustee's Renewed and Supplemental Motion, Under 28 U.S.C. §§ 157(B)(5) and 1334, to Transfer Personal Injury Tort and Wrongful Death Cases to this Court (ECF No. 792), IGPM likewise opposes the Trustee's motion.

WHEREFORE, Image Guided Pain Management, P.C. respectfully requests that this Court enter an order DENYING the Trustee's Renewed and Supplemental Motion to Transfer Personal Injury Tort and Wrongful Death Cases to this Court.

Respectfully submitted,

IMAGE GUIDED PAIN
MANAGEMENT, P.C.

By: /s/ Michael P. Gardner

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*Counsel for Defendant Image Guided Pain
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CERTIFICATE OF SERVICE

The undersigned hereby certifies that on this 3rd day of February 2014, a true and exact copy of the foregoing was filed with the Clerk of the Court using the CM/ECF filing system, thereby providing electronic notice to the registered participants as identified in the Notice of Electronic Filing (NEF). Paper copies will be sent to those indicated in the NEF as non registered participants.

/s/ Michael P. Gardner